

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Civil No.: 19-cv-210 (RA)
RAFAEL FIGUEROA,

Plaintiff,

-against-

**AFFIRMATION IN SUPPORT
OF CLERK'S CERTIFICATE
OF DEFAULT**

IRENE YAGUDAEV and SOLOMON YAGUDAEV,

Defendants.

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IRENE YAGUDAEV and SOLOMON YAGUDAEV,

Third-Party Plaintiffs,

- against -

NRG MAGIC CONSTRUCTION INC.,

Third-Party Defendant,

-----X

Anna Bangiyev, Esq., an attorney duly admitted to practice law before the United States District Court for the Southern District of New York, affirms the following to be true under the penalties of perjury:

1. I am associated with the law firm of BRAND, GLICK & BRAND, P.C., attorneys for the Defendants/ Third-Party Plaintiffs, IRENE YAGUDAEV and SOLOMON YAGUDAEV, in the above-captioned matter.

2. This action was commenced on November 19, 2018 by Plaintiff, RAFAEL FIGUEROA, with the filing of a Summons and Complaint in the Bronx County Supreme Court, Index No.: 33227/2018E.

3. The issue was joined by filing an Answer by the Defendants, IRENE YAGUDAEV and SOLOMON YAGUDAEV, on or about December 24, 2018.

4. This action was removed from Supreme Court, County of Bronx and transferred to the United States District Court for the Southern District of New York with the Notice of Removal filed on January 8, 2019, *Doc. # 1*.

5. A Third-Party action was commenced on March 8, 2019 by Defendants/ Third-Party Plaintiffs, IRENE YAGUDAEV and SOLOMON YAGUDAEV, with the filing of a Third-Party Summons and Complaint, *Doc. # 10-15*.

6. A copy of the Third-Party Summons and Complaint was served on the Third-Party Defendant, NRG MAGIC CONSTRUCTION INC., on April 4, 2019 by personally serving the Secretary of State of New York in the City of Albany and proof of service was therefore filed on April 8, 2019, *Doc. # 16 and 17*.

7. The time for the Third-Party Defendant, NRG MAGIC CONSTRUCTION INC., to answer or otherwise move with respect to the complaint herein has expired.

8. The Third-Party Defendant, NRG MAGIC CONSTRUCTION INC., has not answered or otherwise moved with respect to the Third-Party complaint, and the time for Third-Party Defendant, NRG MAGIC CONSTRUCTION INC., to answer or otherwise move has not been extended.

WHEREFORE, the Defendants/ Third-Party Plaintiffs, IRENE YAGUDAEV and SOLOMON YAGUDAEV, request that the default of the Third-Party Defendant, NRG MAGIC CONSTRUCTION INC., be noted and a certificate of default issued.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.

Dated: Garden City, New York
August 21, 2019

BRAND GLICK & BRAND, P.C.

By: 

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